



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II
290 BROADWAY
NEW YORK, NEW YORK 10007-1866

December 16, 2013

BY ELECTRONIC MAIL & U.S. MAIL

William H. Hyatt, Jr., Esq.
K&L Gates LLP
One Newark Center, Tenth Floor
Newark, NJ 07102-5285

Re: Notice of Dispute Resolution Pursuant to Dispute Resolution Provisions of
Administrative Settlement Agreement and Order on Consent for Remedial Investigation
and Feasibility Study, US. EPA Region 2 CERCLA Docket No. 02-2007-2009

Dear Mr. Hyatt:

The U.S. Environmental Protection Agency (EPA) is in receipt of your letter dated December 11, 2013, invoking dispute resolution under the above-referenced Administrative Settlement Agreement and Order on Consent for Remedial Investigation and Feasibility Study with respect to EPA's November 27, 2013 letter notifying the Cooperating Parties Group ("CPG") that the Carp Harvest Pilot study Addendum to the Quality Assurance Project Plan would not be approved by EPA.

Your letter states that the CPG has repeatedly requested an opportunity to meet with and/or discuss the reasoning behind the CPG's wish to perform the work. We would like to note that Stephanie Vaughn has spoken with Rob Law on several occasions about the Addendum, including December 9, 2013 and December 11, 2013, so the CPG's statement that EPA has denied its requests to discuss the carp study is puzzling.

However, if the CPG wishes to schedule a meeting to discuss the carp study at greater length, EPA will do so. We anticipate this will be a technical meeting, but if the CPG prefers that legal counsel attend, please let us know. Given the approaching holidays, we suggest that the CPG propose several dates and times in January 2014.

We look forward to hearing from you.

Sincerely yours,

Sarah P. Flanagan
Assistant Regional Counsel

cc: R. Basso, ERRD
S. Vaughn, ERRD
P. Hick, ORC